

Attorney Docket No. AUS920030842US1
Serial No. 10/777,717
Response to Office Action dated 06/21/2006

II. Remarks

1. Rejections under 35 U.S.C. § 101. The examiner rejected claims 13-24 and 25-36 because the claimed invention is directed to non-statutory subject matter. Applicant has amended claims 13 and 25 to address the examiner's concerns.

2. Rejections under 35 U.S.C. § 101(e). The examiner rejected claims 1, 13, and 25 under 35 USC 102(e) as being anticipated by Tackman et al. (US 7, 051,364). Applicant has cancelled claims 13 and 25. Applicant has amended independent claims 1, 14, 26, and 37 to include the limitation "wherein the shopping token is created in a single file at a single computer so that it is not necessary to check out the file from a server computer to a client computer and to check in the file from the client computer to the server computer." Tackman discloses checking a document in to a client computer, and checking a document out to a server computer (See FIG. 4; col. 11:3-30). In contrast, applicant's XML file is presented to the parties for review (last line [0037] and FIG 4 shows that the Shopping Token Program operating at a third party (e-commerce) website where the XML file is displayed at the website, a copy is saved at the website, and then a copy is sent to the buyer and the seller.

3. Rejections under 35 U.S.C. § 103(a). The examiner rejected claims 2-8, 14-20, 26-32, and 37 as being unpatentable over Tackman in view of Yehia et al. (US 2002/0091614). Applicant has amended claims 2, 15, 27 and 37 to add the limitations "wherein data in the shopping token cannot be cut and pasted from the shopping token, the shopping token can be stored on a buyer computer, a seller computer, or a third party computer, and the shopping token is indexed so that it can be distinguished from another shopping token."

Attorney Docket No. AUS920030842US1
 Serial No. 10/777,717
 Response to Office Action dated 06/21/2006

RECEIVED
 CENTRAL FAX CENTER

SEP 21 2006

4. Rejections under 35 U.S.C. § 103(a). The examiner rejected claims 9, 21, 33, and 38 as being unpatentable over Tackman in view of Yehia as applied to claim 37 and further in view of Martin et al. (US 2002/0116282). Applicant submits that the amendments to independent claims 1, 14, 26, and 27 place those claims in condition for allowance, and that claims 9, 21, 33, and 38 therefore depend from allowable claims.

5. Rejections under 35 U.S.C. § 103(a). The examiner rejected claims 10-12, 22-24, 34-36, and 39-41 as being unpatentable over Tackman in view of Yehia as applied to claim 37 and further in view of Moss et al. (US 2005/0160014). Applicant submits that the amendments to independent claims 1, 14, 26, and 27 place those claims in condition for allowance, and that claims 10-12, 22-24, 34-36, and 39-41 now depend from allowable claims.

III. Conclusion

Applicant submits that the claims presented are in a condition for allowance.

Rudolf O. Siegesmund
 Rudolf O. Siegesmund
 Reg. No. 37,720
 Gordon & Rees, LLP
 Suite 2600
 2100 Ross Avenue
 Dallas, Texas 75201
 214-461-4050
 214-463-4050 (fax)

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office (Fax No. (571-273-8300).

On Sept. 21, 2006
 Date

Rudolf O. Siegesmund
 Rudolf O. Siegesmund